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OLC 77-2308
26 May 1977

MEMORANDUM FOR THE RECORD

SUBJECT: Courtesy Call on Chairman Joseph Biden (D., Del.),
Subcommittee on Secrecy and Disclosure, Senate Select
Committee on Intelligence, by Dr. Robert Bowie,
D/DCI/NIO

1. This afternoon I accompanied Dr. Robert Bowie, D/DCI/NIO, to a meeting with Chairman Joseph Biden. The meeting was set up at the suggestion of Senator Charles McC. Mathias (R., Md.) who had suggested that Dr. Bowie meet with all the Chairmen of the Senate Select Committee on Intelligence Subcommittees. Hal Ford, of the Select Committee staff, sat in on the meeting.

2. Chairman Biden was a bit late for our meeting and explained that he had been detained at a session on the busing situation which he said was going to become crucial in the state of Delaware. The Chairman then stated that he has a very high regard for the people in the Agency and the work they were doing. He noted that the errors of the past were largely, not exclusively, the result of misdirection from higher authority. The Chairman's remarks gave the strongest possible commendation for CIA personnel and their product. I told him I was sorry that our people could not hear him make this statement because while many members had made these statements in private, few had made them in public. The Chairman said he would be glad to make the statement publicly and I then told him that I thought it would be worthwhile for some of our people to hear his views on this subject and perhaps he would be willing to speak at one of our training classes. The Chairman indicated that he would be glad to.

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knew him. He said he was concerned, however, that the Agency was engaged in certain clandestine collection activities, which in his judgment, had greater potential for foreign policy flap than did our covert action programs. The Chairman said he was pleased to see Mr. Bowie in his present position and looked forward to further contact with him. It was clear from our meeting that Chairman Biden will press very hard in the charter revision exercise to get language included in the draft legislation which will delineate the Committee's responsibilities and Agency restrictions.



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GEORGE L. CARY
Legislative Counsel

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TRANSMITTAL SLIP		DATE 10 May 1977
TO: D/DCI/NI		
ROOM NO.	BUILDING	
REMARKS: FYI, talking points sent to Vice President last evening.		
FROM: DCI		
ROOM NO.	BUILDING	EXTENSION

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FORM NO. 241
1 FEB 55

REPLACES FORM 36-8
WHICH MAY BE USED.

(47)

77-1265/1

SUGGESTED POINTS FOR THE PRESIDENT TO RAISE
WITH THE SENATE SELECT COMMITTEE ON INTELLIGENCE

1. Legislative Charters.

- a. Willing to accept.
- b. Want to work closely with the Committee:

(1) to avoid a situation in which the legislative charters become too detailed and tie down the specifics of the intelligence process in too permanent a manner.

(2) so that central purpose of charter is not lost in unnecessary debate over executive and legislative privilege.

- c. Hope charters and new Executive Order can be a matching set.
 - d. Expect to have our proposed changes to Executive Order ready by mid-June.
- (1) Will discuss with Committee prior to issuing.

2. Security of Information.

- a. Imperative be able to hold important data.

(1) Hope Select Committee can
shoulder most of Senate responsibility
for oversight of sensitive materials.

3. Open Budget.

a. Agreed not to object to disclosure of a single budget figure in a desire to be more forthcoming and open. Am persuaded that only a single figure can be released within the bounds of security. Am prepared to enforce a strict policy on that regard within the Executive Branch.

b. It is now up to the Senate as to what you want to do. Do not want to attempt to dictate to you because of the accompanying responsibility also to maintain a strict adherence to a policy of only one number.

4. Intelligence Oversight Board.

a. Have reconstituted the Intelligence Oversight Board with three capable men. The Chairman has had some experience in the intelligence business and hence will lead a modicum of expertise. Senator Gore and Governor Scranton are, of course, citizens with distinguished records of public service.

b. Have elected to disestablish the President's Foreign Intelligence Advisory Board, largely in view of the increased role that the Senate Select Committee is playing in reviewing the intelligence process. I anticipate a continuing and useful dialogue with the Committee and hope that this will, in large

measure, substitute for the Advisory Board. In addition, such a Board must have access to all of the most sensitive intelligence information. There is always some risk inherent in simply expanding the numbers of people exposed to this kind of information.

5. Electronic Surveillance Bill.

a. This Administration has submitted an Electronic Surveillance Bill which should be effective in preventing abuse of personal liberties of our citizens as a result of improper electronic surveillance.

b. The Attorney General is developing a bill that will similarly prevent abuses of physical surveillance.

c. The Attorney General is also developing legislation to protect the rights of Americans overseas against all forms of surveillance.

SUGGESTED POINTS FOR THE PRESIDENT TO RAISE
WITH SPEAKER O'NEILL AND OTHER MEMBERS OF
THE HOUSE OF REPRESENTATIVES

1. House Select Committee on Intelligence.

- a. Hope that the House can move expeditiously in creating such a body.
- b. The parallel committee in the Senate is proving very useful.
- c. Would hope that such a committee would be able to assume some of the jurisdiction that is presently spread over three committees in the House, especially with regard to the necessary disclosure of highly sensitive information such as covert operations and clandestine collection.
- d. Would hope that the activities of this committee could be exempted from Rule 11, whereby any Member of the House can have access to the records of any committee.
- e. Have confidence in the Speaker's selection of highly responsible members for such a sensitive operation.

2. Open Budget.

a. Agreed not to object to disclosure of a single budget figure in a desire to be more forthcoming and open. Am persuaded that only a single figure can be released within the bounds of security, and am prepared to enforce a strict policy on that regard within the Executive Branch.

4. Intelligence Oversight Board.

a. Have reconstituted the Intelligence Oversight Board with three capable men. The Chairman has had some experience in the intelligence business and hence will lend a modicum of expertise. Senator Gore and Governor Scranton are, of course, citizens with distinguished records of public service.

b. Have elected to disestablish the President's Foreign Intelligence Advisory Board, largely in view of the increased role that the Senate Select Committee is playing in reviewing the intelligence process, and hopefully a House Select Committee will play. In addition, such a Board must have access to all of the most sensitive intelligence information. There is always some risk inherent in simply expanding the numbers of people exposed to this kind of information.